

DECEMBER 8, 1995

INSPECTOR GENERAL REGULATION 1404.1
(W/CHANGE 1 - 2/29/96 AND CHANGE 2 - 2/03/97)

MERIT PLACEMENT AND PROMOTION PLAN

FOREWORD

This regulation has been issued to provide general policy guidance and instructions and state responsibilities for establishing and administering the merit placement and promotion system of the Office of the Inspector General, Department of Defense. It will serve as the basis for accomplishing promotion and placement actions in accordance with merit system principles.

Recommended changes to this regulation will be forwarded through appropriate channels to the Assistant Inspector General for Administration and Information Management, ATTN: Chief, Personnel Operations Division.

Effective Date. This regulation is effective on issuance.

FOR THE INSPECTOR GENERAL:

//Signed//
Nicholas T. Lutsch
Assistant Inspector General for
Administration and Information Management

**INSPECTOR GENERAL, DEPARTMENT OF DEFENSE
MERIT PLACEMENT AND PROMOTION PLAN**

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CHAPTER 1 GENERAL PROVISIONS

1-1. Purpose. This regulation establishes policies, procedures, practices and responsibilities for accomplishing promotion and placement actions in accordance with merit system principles.

1-2. References

- a. 5 U.S.C., Section 2301
- b. 5 U.S.C., Section 2302
- c. 5 CFR, Part 300, Employment (General)
- d. 5 CFR, Part 335, Promotion and Internal Placement

1-3. Cancellation. OIG Manual Chapter 2, Subchapter 2, Merit Placement Plan is hereby cancelled.

1-4. Applicability and Scope. Applies to civilian employees in the Office of the Inspector General, Department of Defense (OIG, DoD) in competitive service positions and positions that would otherwise be in the competitive service, except by virtue of the appointing authority used.

1-5. Definitions. See Appendix A.

1-6. Policy

a. All actions subject to the provisions of this regulation will be filled solely on the basis of merit. Consideration of current employees and outside applicants will be made without regard to political or religious affiliation or nonaffiliation, marital status, race, color, sex, national origin, handicap, age or other non-merit factors and shall be based solely on job-related criteria.

b. All employees covered by this regulation will be provided the maximum opportunity to compete for promotion, but will not be guaranteed promotion.

c. Positive action will be taken by management to identify and eliminate any barriers to equal employment opportunity.

d. Affirmative action will be taken to assure that local recruitment efforts are reaching employment sources for qualified handicapped persons, minorities, women and disabled veterans.

e. Promotions and other placement procedures will conform to the legal and regulatory requirements governing the employment of relatives.

f. Promotions and placement actions will be based strictly on merit factors and not on personal relationships, favoritism or patronage.

g. Management has the right to select from any appropriate source, except where specifically prohibited by statute, regulation or higher authority.

h. Effective dates will be established in accordance with the Office of Personnel Management (OPM) Guide to Processing Personnel Actions Operating Manual.

1-7. Exclusions. The following are exclusions to the provisions outlined in this regulation.

a. Positions in the Excepted Service.

b. Positions in the Senior Executive Service.

c. Temporary positions that are not expected to last more than 1 year.

1-8. General Information. The Freedom of Information Act and Privacy Act (FOIA/PA) impact significantly on the collection, use and availability of data essential to operations under this regulation. The personnel office, with the advice and assistance of the Chief, FOIA/PA Office, will establish procedures and make determinations to assure that all actions under this plan conform to the above laws. Where this plan is silent regarding any aspect of the Merit Promotion and Placement Program, the provisions in regulations of higher authority will apply.

CHAPTER 2 RESPONSIBILITIES

2-1 Responsibility for all aspects of personnel administration is delegated from the Inspector General (IG) through the Assistant Inspector General for Administration and Information Management. Specific responsibilities are specified below.

2-2. The Personnel and Security Directorate, Office of the Assistant Inspector General for Administration and Information Management, will ensure that:

- a. Merit system principles are set forth in the agency plan for internal promotion and placement.
- b. Personnel involved in the development, administration and evaluation of programs, plans, procedures and methods for promotion and related placement actions have the necessary technical competence and are provided special training as required.

2-3. Managers and Supervisors will:

- a. Ensure that employees referred for promotion or placement receive full and impartial consideration.
- b. Anticipate personnel needs and initiate recruitment requests in sufficient time to allow for quality recruitment.
- c. Participate with their personnel representative in conducting job analysis, determining the area of consideration and identifying knowledge, skills, and abilities (KSAs) to be used in candidate evaluation.
- d. Participate in the development of merit placement planning, work force analysis and development of staffing plans; serve on rating and ranking panels, except for positions for which they are selecting officials, and provide employees to participate as subject matter experts in the candidate evaluation process.
- e. Provide for prompt posting of job opportunity announcements (JOA) before the opening date; and assist employees in filing applications when necessary, including employees who are temporarily absent.
- f. Complete all required supervisory appraisals in a fair and objective manner.
- g. Arrange promptly for interview (if desired) of candidates referred for consideration.
- h. Contact previous supervisors and listed references.
- i. Return referral certificates within specified time frames.

- j. Release employees selected elsewhere for promotion or placement as prescribed in this regulation.
- k. Assist in recruitment activities with the goal of achieving a diverse work force.
- l. Actively support this plan and comply with provisions contained herein.
- m. Keep subordinates fully informed of the provisions of this plan.
- n. Counsel employees concerning promotion opportunities and self improvement for future promotion opportunities and career development.
- o. Ensure that employees who are absent for a legitimate reason, e.g., on detail, on leave, at a training course, in the military service, or serving in public international organization or on Intergovernmental Personnel Act assignments receive appropriate consideration for promotion by submitting applications for those vacancies announced during the employee's absence for which the employee had previously expressed interest in writing.
- p. Assure that selections are based on job-related factors only.

2-4. Employees will:

- a. Stay informed on provisions of this plan and follow application procedures for vacancies.
- b. Ensure that official personnel records, application forms and supplemental experience statements reflect appropriate experience, education, training and awards.
- c. Take advantage of opportunities for self development to acquire the skills and training necessary for advancement.
- d. Keep supervisors informed in writing of the types of positions for which they desire consideration during their absences and provide them with an updated application before extended absences from their position.
- e. Serve in job analysis sessions or on rating and ranking panels, as requested.

2-5. The Equal Employment Opportunity Office will:

- a. Advise management officials and other participants in the merit promotion and placement process of existing equal employment opportunity (EEO) and affirmative action requirements.
- b. Assist the personnel office in the development of recruitment strategies designed to increase the number of candidates in underrepresented categories when positions are filled under this plan.

2-6. The Personnel Operations Division of the Personnel and Security Directorate, Office of the Assistant Inspector General for Administration and Information Management, will:

- a. Advise supervisors in administering this regulation to ensure that actions taken are based on merit principles.
- b. Operate, evaluate and improve the merit promotion and placement program based on regulatory changes and the needs of serviced organizations.
- c. Provide training, technical guidance and staff assistance to management officials in carrying out their responsibilities under this plan.
- d. Furnish information, assist employees in fulfilling requirements of this plan, and provide career counseling.
- e. Consider comments and suggestions from employees and supervisors regarding the provisions of this plan.
- f. Assess long- and short-range staffing needs in coordination with management.
- g. Perform job analysis and participate in the development of KSAs and crediting plans.
- h. Coordinate with supervisors in establishing the minimum area of consideration and any necessary expansions.
- i. Prepare and issue JOAs and rate and rank candidates to determine best qualified.
- j. Prepare and issue referral certificates to selecting officials.
- k. Notify candidates of the results of their applications.
- l. Maintain required records related to the Merit Placement and Promotion Plan.
- m. Maintain vacancy announcements from other DoD and Federal agencies that may afford promotion opportunities for employees.
- n. Ensure appropriate treatment of candidates entitled to priority consideration (e.g., DoD Priority Placement Program (PPP), Reemployment Priority List (RPL), the Office of Personnel Management (OPM) Interagency Career Transition Assistance Plan (ICTAP).
- o. Review and evaluate the effectiveness of the merit placement and promotion program.
- p. Ensure that recruitment efforts identify the best qualified candidates from appropriate sources consistent with affirmative action goals and objectives.

CHAPTER 3

PERSONNEL ACTIONS COVERED

3-1. Actions Subject to Competitive Procedures. With the exception of actions described in paragraph 3-2 of this chapter, the competitive procedures of this plan apply to all promotions and to the following actions:

- a. Reassignment, change to lower grade or transfer to a position with more known promotion potential than a position previously held in the competitive service, except as permitted by reduction-in-force (RIF) regulations.
- b. Time limited promotions over 120 days. Prior service under noncompetitive details to higher graded positions or temporary promotions during the preceding 12 months will be counted when determining if an action will exceed 120 days (see Appendix B).
- c. Details for over 120 days to a higher grade position or to a position with known promotion potential greater than the employee's present position (prior service during the preceding 12 months under noncompetitive details to higher graded positions and noncompetitive time limited promotions counts toward the 120-day total).
- d. Selection for training that is part of an authorized training agreement, part of a promotion program or required before an employee may be considered for a promotion.
- e. Transfer to a higher grade position or to a position with greater promotion potential than the position previously held in a non-temporary position.
- f. Selection of a candidate from the Reemployment Priority List (RPL) for a job at a higher grade than the one previously held in a non-temporary status in the competitive service.
- g. Reinstatement to a permanent or temporary position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service.
- h. Consideration of a military spouse referred through the Automated Stopper and Referral System (ASARS) procedures.

3-2. Exceptions

- a. Promotions resulting from the classification of an employee's position at a higher grade because of additional duties and responsibilities (job accretion) provided that both management and the personnel office certify that all of the following conditions are met.
 - (1) No other employees at the same grade in the unit supervised by the selecting official are performing duties substantially the same as those performed by the employee prior to the addition of the new duties and responsibilities.

(2) The employee continues to perform the same basic functions as in the former position, and the duties of the former position are administratively absorbed into the new position.

(3) The addition of the duties and responsibilities does not result in an adverse impact on another encumbered position, such as abolishing the position or reducing the known promotion potential of another position.

(4) The employee meets all eligibility and qualification requirements for the reclassified position.

(5) The new position has no additional promotion potential. An employee may not be promoted to a supervisory position from a nonsupervisory position under this provision.

b. Noncompetitive placement (includes promotion, reassignment, CLG, transfer, reinstatement) to a position when competition was held at an earlier stage (career promotion), i.e., the employee was selected under competitive promotion procedures that clearly indicated that the assignment could lead to higher grade or grades. Examples are as follows:

(1) Placement from an upward mobility position after satisfactorily completing required training.

(2) Placement into a position with known promotion potential.

(3) Promotion to full performance level in a "career ladder" position. Each career promotion to a successively higher grade will be made only after verification by the supervisor that the employee has demonstrated the ability to perform work at the higher grade level and the employee meets other appropriate OPM requirements.

(4) Promotions under Veterans Readjustment Appointments (VRA). The employee must have demonstrated the ability to perform the higher grade duties and responsibilities successfully.

(5) Reinstatement of an SES appointee to a competitive service position.

c. Conversion of employees in excepted service appointments to career-conditional status on completion of training programs, trial periods or other appropriate requirements (e.g., VRA, severely mentally or physically disabled employees, co-op students).

d. Promotion based on prior service in a permanent position at a higher grade as long as not lost due to performance or conduct.

e. Promotions resulting from classification error or issuance of new position classification standards (provided the employee meets all legal and qualifications requirements).

f. Repromotion eligibles. Priority consideration for repromotion will be provided, through the "R" Program in the PPP as follows:

(1) Current employees serviced by the Personnel Operations Division, OIG, DoD, who are receiving grade or pay retention benefits due to involuntary placement in lower graded positions, while working in the DoD, for reasons such as reduction-in-force, correction of a classification error, or return from overseas are eligible for repromotion. Those employees will be given priority consideration for positions up to and including the grade from which previously changed to lower grade and for which interested and determined to be fully qualified. Priority consideration will cease when employees are no longer entitled to grade or pay retention benefits.

(2) Repromotion priority will be provided for positions only in the pay group that covered the employee prior to change to lower grade.

(3) Repromotion priority will not be extended to employees who fail to complete training under a formal training program.

(4) Repromotion priority will be terminated for the equivalent and lower grades if the employee declines a valid offer at an intervening grade. The employee will continue to receive priority consideration for higher grades, up to and including that from which changed to lower grade. Declination of a written offer for a position at the lower grade also will terminate entitlement to grade and pay retention.

g. Temporary promotion to a higher grade position or a position with known promotion potential of 120 days or less (see Appendix B).

h. Detail to higher grade position or to a position with known promotion potential of 120 days or less (see Appendix C).

i. Promotion under RIF regulations. Technically, promotion during RIF may occur as a result of pay setting that creates an increase in pay but not an increase in grade level.

j. Priority consideration/placement. The following candidates will be given priority consideration/placement for applicable job vacancies as an exception to this plan:

(1) Employees exercising statutory, regulatory or mandatory placement rights (e.g., EEO settlements, grievance decisions, exercise of reemployment rights from overseas, restoration from military service).

(2) Employees being displaced or downgraded within the OIG through reduction-in-force procedures.

(3) PPP candidates in accordance with the DoD Program for Stability of Civilian Employment. A position may not be cancelled or reclassified to avoid placement of PPP candidates.

(4) Reemployment Priority List (RPL) candidates for positions at grades from which separated.

(5) Employees who did not receive proper consideration. If an employee fails to receive proper consideration in a promotion action and the erroneous promotion is allowed to stand, the employee will be considered for the next appropriate vacancy. An employee is entitled to only one consideration, unless otherwise directed. The selecting official is not required to select an employee referred under this provision. The next appropriate vacancy is defined as one that meets all of the following conditions:

(a) A similar type of position in the same pay system as the position for which the candidate failed to received proper consideration;

(b) A position in which the candidate has indicated interest to the personnel office;
and

(c) A position for which the candidate is highly qualified.

(6) Employees who have become disabled during the time of their employment or who, having retired or been on injury compensation rolls because of their injury/disability, have fully or partially recovered and wish to be reemployed.

(7) Military Spouse Preference. The Military Family Act of 1985, as amended, grants preference in hiring to spouses of military sponsors who are transferring within the DoD. Spouse preference must be applied when competitive methods (i.e., merit promotion procedures or OPM registers) are used to fill vacant positions at grades up to GS/GM-15 or equivalent wage system positions. Temporary positions expected to continue beyond 12 months are also subject to the Spouse Preference provisions. Military spouses are referred through the PPP. They are automatically a part of the minimum area of consideration.

(a) When a spouse preference eligible appears on a competitive referral list (i.e., is among the "best qualified" candidates), he/she must be offered the job before a candidate who does not have spouse preference. Similarly, on an OPM certificate, a spouse preference eligible may not be passed over to select a person who does not have a spouse preference. Spouse preference is limited to the specific position(s) for which application is made.

(b) To be eligible for spouse preference, persons must have competitive status from a previous appointment, be eligible under Executive Order 12362, as amended, or be within reach on an OPM certificate. Veterans on the certificate may not be passed over to appoint a spouse. Spouse preference applies only to the initial appointment of the spouse at an activity. Eligibility for spouse preference begins 30 days prior to the military sponsor's permanent change of station. Spouse preference may not be used to displace a current employee and does not apply when vacancies are filled noncompetitively.

CHAPTER 4 LOCATING CANDIDATES

4-1. **Area of Consideration**

a. It is management's prerogative, in conjunction with the advice and assistance of the personnel office, to identify the area of consideration. The area of consideration must be sufficient to ensure the availability of high quality candidates. It should provide for successful accomplishment of affirmative action goals. Expansion of the initial area of consideration will require the amendment of the announcement.

b. The following are examples of areas of consideration:

- (1) Office of the Inspector General, DoD.
- (2) Status Employees - Department of Defense, Washington, DC, and the surrounding Virginia and Maryland counties.
- (3) Status Employees - Federal Government-wide.
- (4) All Sources - Status and non-status applicants.

c. Applications will be accepted from applicants eligible for noncompetitive placement regardless of area of consideration.

4-2. Management's Right to Select From Any Appropriate Source. Merit promotion is but one means of filling a vacancy. Management has an obligation to determine which option is most likely to best meet the agency mission objectives, contribute fresh ideas and new viewpoints, and meet the agency's affirmative action goals.

4-3. Methods of Locating Candidates. Candidates may be located by different methods, including individual job opportunity announcements (JOAs) or open continuous JOAs.

a. **Job Opportunity Announcements.** Individual announcements will be used in locating candidates except as provided in paragraph b below. Positions filled under this plan will be advertised and will normally remain open for a minimum of 10 workdays. All announcements will be posted on official bulletin boards and distributed as necessary to ensure employees have the opportunity to review and apply for announced positions within the agency. When there is an expanded area of consideration, appropriate distribution of the vacancy announcement will be made. Each announcement will contain the following:

- (1) Title, series, grade(s), salary range and brief description of duties.
- (2) Organizational and geographic location of the position.
- (3) Qualifications required, including unusual physical requirements.

- (4) Any special requirements of the position, e.g., frequent travel, drug test or unusual working conditions.
- (5) Any selective placement factors, e.g., knowledge of specific computer language.
- (6) Knowledges, Skills, and Abilities (KSAs) determined necessary for successful performance in the position.
- (7) Rating and ranking methods to be used.
- (8) Statement of promotion potential, if any.
- (9) Area of consideration.
- (10) Announcement number and opening and closing dates.
- (11) Where and how to apply, including supplemental forms required.
- (12) Equal employment opportunity statement.
- (13) Requirement for completion of probationary period, if supervisory/managerial position.
- (14) Notification that occupancy of the position is limited to the return of a previous incumbent if previous employee has return rights.
- (15) The vacancy announcements may be used again to fill substantially identical vacancies that occur within 90 days of the closing date.

b. **Open-Continuous JOAs.** Positions in high turnover occupations and positions filled at entry levels may be publicized through open continuous JOAs. Those announcements indicate the full performance level, as well as the intervening grade levels at which the positions may be filled. Applications for those positions are accepted on a continuous basis. Cutoff dates are established, and employees who have previously applied will be considered. Applications from nonselected candidates will be retained for consideration for future vacancies. A listing of open continuous announcements will be published periodically.

4-4. Application Procedures

a. Candidates within the area of consideration must submit to the Personnel and Security Directorate, Office of the Assistant Inspector General for Administration and Information Management, OIG, DoD, an application or resume, SF-50 (Notification of Personnel Action) and any other forms specified in the vacancy announcement by the closing date. Only applications received by close of business (5:00 p.m.) on that date will be accepted.

b. Employees serving on excepted appointments who seek consideration for competitive service positions may apply for and be considered to the extent permitted by the authority of their appointment.

c. Employees within the minimum area of consideration who are absent from their positions for legitimate reasons, such as detail, leave, temporary duty (TDY), training or military service, will receive consideration for promotion under the provisions of this Plan provided they authorize their supervisor to submit an application on their behalf and leave a copy of it with him/her for such purposes.

d. Applications will be accepted from appointable candidates within the area of consideration unless the applicant:

(1) Failed to provide sufficient information on which to make a qualifications determination. Applicants are responsible for submitting full and proper application documents.

(2) Falsified information.

(3) Filed after the closing date. Applications for announced vacancies must be received in the Personnel Office by the closing date of the JOA.

(4) Failed to meet a legal, regulatory or qualifications requirement no later than 30 days after the closing date of the announcement.

(5) Submitted the application in an official Government postage-paid envelope.

(6) Submitted the application via a Government telefax machine.

CHAPTER 5 CANDIDATE EVALUATION

5-1. General. Candidates for placement under this plan will be evaluated on their current level of knowledge, skills, and abilities related to the job being filled and on their potential to progress when the job being filled leads to further advancement. All candidates will be evaluated against OPM qualification requirements and KSA and, as nearly as possible, by the same methods.

5-2. Requirements for Candidate Evaluation

a. **Job Analysis.** Job analysis will be conducted to determine high quality performance criteria that go beyond the minimum qualifications needed for successful performance in the position being filled. The criteria will be expressed in terms of knowledge, skills, and abilities that (1) must be brought to the job and (2) if possessed to a high degree, will distinguish high quality from average or marginal performers. Job analysis will be conducted prior to announcing the vacancy. Participants in job analysis will include one or more subject-matter experts who are knowledgeable of the position being filled.

b. **Crediting Plan.** Crediting plans will be developed by subject-matter experts and personnel staffing specialists based on the job analysis. The crediting plan will define each KSA. Crediting plans will be used to evaluate candidates against the highly qualifying criteria, i.e., KSA identified for the position being filled.

c. **Sources of Information.** The following sources of information reflecting experience, education, training, self development, performance, recognition and potential may be used in candidate evaluation:

- (1) Application or resume.
- (2) Supplemental Experience Statements.
- (3) Qualifications Assessment completed by supervisor.
- (4) Annual Performance Appraisal.
- (5) Awards relating to the job to be filled.
- (6) Employee's Official Personnel Folder.

d. **Basic Qualification Determination.** Candidates must meet minimum qualifications requirements prescribed by OPM (including any positive education requirements), selective placement factors, and other requirements identified below to establish basic eligibility for consideration.

(1) Selective Placement Factors. Some positions necessitate additional qualification requirements that must be met for fully successful performance. Examples of selective placement factors include the ability to use specific computer language or the ability to speak a foreign language.

(2) Candidates must meet all time-in-grade and time-after-competitive-appointment requirements within 30 days following the closing date of the announcement.

(3) Annual Performance Appraisal. The applicant's current performance appraisal will be used in evaluating candidates for promotion. Applicants must have a current performance rating of "Fully Successful" or better to be considered for promotion. When a candidate does not have a current performance appraisal, a fully successful rating may be presumed as long as there is no known adverse performance information.

(4) Written Tests. Written tests will be used only if required and/or approved by the OPM. A written test may not be used as a screen-out device except in those instances where an established passing test score is required by law or regulation.

e. **Rating to Determine Highly Qualified.** All candidates who meet minimum qualification requirements and are rated "Fully Successful" or better will be rated against the KSA to identify the highly qualified. Highly qualified candidates are those who, in the raters' judgment, possess the identified KSA.

(1) Supplemental statements addressing the KSA will be the paramount source of information and may be supplemented by information contained in the application or Official Personnel Folder.

(2) Supervisor's Qualifications Assessment. A qualification assessment may be obtained from the applicant's immediate supervisor or a previous supervisor with knowledge of the candidate's job performance. Qualifications assessment will require the supervisor's assessment of the applicant's possession of the KSA for the position being filled. When the position is supervisory, a qualifications assessment for supervisory positions must be obtained. The information will be used to assess the candidate's potential to perform in the supervisory position being filled.

(3) Annual Performance Appraisal. The performance appraisal will be used in the rating process as an additional source of information. However, information obtained from performance appraisals will be used only to the extent that it is relevant to KSA for the position being filled.

(4) Evaluation of Awards. Awards and other forms of employee recognition may be credited to extent that they relate to the KSA for the job being filled. The mere possession of awards or the number of awards received will not be a basis for additional credit.

f. **Ranking to Determine Best Qualified.** Highly qualified candidates will be measured against each other. Those ranking at the top will be referred for selection. If no candidates meet the highly qualified criteria, management should then consider expanding the area of consideration to locate high quality candidates or restructuring the position to a lower grade for recruitment purposes.

g. **Rating and Ranking.** Rating and ranking may be performed by personnel specialists/assistants, subject-matter experts or by a panel, depending on which is most appropriate in view of the position being filled and such factors as time and cost.

(1) When panels are used, there will normally be three subject-matter experts, plus a personnel representative. Panel members will, if possible, occupy positions that are organizationally equal to or above the grade level of the position to be filled. They must be familiar with the kind of work and level of responsibilities involved. Panels will be representative of minority groups and both genders, when possible.

(2) A personnel representative will serve as advisor to the panel members regarding merit system principles and requirements, and to provide the necessary guidance in candidate evaluation methods. The personnel representative will assure that actions taken by panel members are fully documented and retained as part of the required placement/promotion records.

CHAPTER 6

REFERRAL, SELECTION AND RELEASE

6-1. Referral

a. Candidates eligible for noncompetitive consideration will be identified on a referral certificate separate from promotion candidates. Such candidates may be referred either before the candidate evaluation process has been completed or along with the competitive promotion candidates. Selection may be made at any time from either list.

b. Promotion candidates will be evaluated against the KSAs for the position, and the candidates determined best qualified will be referred. A reasonable number of best qualified candidates will be referred, although there is no upper or lower limit.

c. The following documents will be furnished to the selecting official on promotion candidates:

- (1) Application form or resume.
- (2) Supplemental experience statements.
- (3) Most recent annual performance appraisal.
- (4) Supervisor's qualifications assessment form, when used.

d. All referral certificates will normally have an expiration date of no more than 20 work days from the date of issue. A selection, a request for expanded recruitment effort, or a request for an extension to the expiration date must be received in the personnel office by that date. If one of the aforementioned is not provided by the expiration date, the referral list will become invalid and must be returned. The PPP must be cleared again for expanded recruitment. Extensions may be granted for a period of up to 10 work days. Additional extensions may be approved only in very unusual circumstances.

6-2. Selection Procedures. In accordance with civil service rules and this regulation, the selecting official has the right to select any candidate referred on DoDIG Form 5 or not to select anyone. Each candidate referred must be given full consideration, and the selection must be based on job-related reasons. Selecting officials should be prepared to justify the selection if the need arises. No indication of selection should be given to a candidate by the selecting official. A commitment may be made only by the personnel office.

6-3. Interviewing. The selecting official or designee may interview as many referred candidates as desired or none at all. Interviews may be accomplished either telephonically or in person. Interview arrangements will be made by the selecting official. Failure of the candidate to travel for the purpose of an interview may not be used as basis for nonselection of a referred candidate. The selecting official or designee should ask the same questions of each applicant interviewed.

6-4. Release. Arrangements for a release date of the selected candidate will be made by the Personnel Operations Division in coordination with the supervisory officials concerned. Normally, employees will be released to report to their new positions no later than the beginning of the second pay period following notification to the organization of the selection by the Personnel Operations Division. When an employee is selected for a position that requires a move outside the commuting area, the employee will be given a reasonable period of time (normally not less than 30 days) to report to the new duty location. Deviation from this practice may be made if acceptable to both supervisors.

6-5. Notifying Candidates. Candidates will be notified by the Personnel Operations Division of the results of their applications. On specific written or oral request to the Personnel Operations Division, nonselected candidates will be furnished the name of the candidate selected.

CHAPTER 7 EMPLOYEE COMPLAINTS AND GRIEVANCES

7-1. General Provisions. Supervisors and/or the personnel office will be fully responsive to an employee inquiry or complaint about the general operation of the Merit Placement and Promotion Plan or about a specific placement or promotion action, as follows:

- a. Applicants are entitled to view, upon request, any supervisory appraisal used in considering them for promotion. However, an employee is not entitled to view appraisals of other competing applicants or the crediting plan used for the evaluation process.
- b. Applicants may also receive the following information about specific promotion actions:
 - (1) Whether they were considered for promotion, and, if so, whether they were found eligible on the basis of the minimum qualification requirements, including any pertinent selective factors for the position.
 - (2) If they were in the group referred to the selecting official.
 - (3) Who was selected for the position.

7-2. Nongrievable Matters. Nonselection from among a group of properly ranked and certified candidates or failure to receive a noncompetitive promotion are not appropriate bases for a formal complaint or grievance.

7-3. Grievance Procedures. Complaints will be processed in accordance with IGDINST 1400.5, Administrative Grievance Policy and Procedures, dated February 1, 1993.

7-4. EEO Complaints. Applicants believing that they have been discriminated against on the basis of their race, color, religion, sex, national origin, age, physical or mental disability, and/or reprisal, have the right to file a complaint of discrimination with the Equal Employment Opportunity Office.

APPENDIX A DEFINITIONS

Appointable Candidates. Current Federal employees within the area of consideration who hold career or career-conditional appointments or other applicants who have eligibility for immediate appointment under statute or regulation (e.g., Veterans Readjustment Appointment (VRA) or reinstatement eligibles).

Best Qualified Candidates. Those candidates who rank at the top when rated against other highly qualified candidates.

Change to Lower Grade. The change of an employee to a lower grade when both the old and new positions are under the same pay schedule, or to a position with lower representative rate of pay when the old and new positions are under different pay schedules.

Commitment. A three-step process carried out by officials of the personnel office. The process includes the offer, acceptance by the selectee and the establishment of a specific reporting date.

Crediting Plan. The document that incorporates the measurement tools applicable to the position being filled and describes the methodology for evaluating the candidates.

Detail. The temporary assignment of an employee with no change in pay to perform the duties of a different position for a specified period when the employee is expected to return to his/her regular duties at the end of the period.

Highly Qualified Candidate. One who possesses knowledges, skills and abilities (KSAs) to a degree that is expected to produce successful performance.

Job-Related Criteria. Knowledge, skills and abilities essential for successful performance in a position.

Known Promotion Potential. Positions from which noncompetitive promotions can be made. Those include positions filled competitively at a grade (or grades) below the established or anticipated grade level and career ladder positions.

KSA/KSAOs. Acronym for Knowledges, Skills, and Abilities/Knowledges, Skills, Abilities, and Other characteristics. KSA/KSAOs are those characteristics required to successfully perform the principal tasks and duties of a job as described in the position description. Applicants are expected to address these characteristics in writing as part of their completed application package.

Minimum Area of Consideration. The area designated by this plan, which should reasonably be expected to produce sufficient high quality candidates to fill vacancies in the positions covered by this plan. When the minimum area of consideration produces a sufficient number of high quality candidates and a further search is not required, the minimum area of consideration and the area of consideration are the same.

Promotion. The change of an employee to a position at a higher grade level within the same job classification system and pay schedule or to a position with a higher rate of basic pay in a different job classification system and pay schedule.

Qualified Candidate. A candidate being considered for any placement action who meets all established minimum OPM qualification requirements, including appropriate selective placement factors, for the position being filled.

Reassignment. The lateral change of an employee from one position to another without promotion or change to lower grade.

Reemployment Priority List (RPL). A list of career or career-conditional employees separated from competitive service positions under reduction-in-force regulations.

Representative Rate of Pay. The fourth step of the grade for the position under the General Schedule or the second step of a grade for a position under the wage grade system.

Repromotion Eligible. A DoD employee involuntarily changed to a lower grade through no fault of his/her own. The eligibility for priority consideration for repromotion continues as long as grade or pay retention benefits are received.

Selective Placement Factors. Documented KSAs that are added to the minimum qualification requirements for basic eligibility of candidates for the position to be filled, and that are essential for satisfactory performance of the job.

Stopper List. Priority Placement Program (PPP) used to place DoD employees elsewhere within DoD when their position has been abolished or downgraded.

Transfer. The movement of a permanent employee from one Federal Government agency to another without a break in service.

APPENDIX B TIME LIMITED PROMOTIONS

B-1. Unless an employee meets one of the permissible exceptions, competitive promotion procedures must be used for any time limited promotion if the employee has or will have spent more than 120 cumulative days assigned under a noncompetitive time limited promotion or detail to a higher grade in the preceding 12 months. Time served after competitive selection does not count. A time limited promotion may be made permanent without further competition only if it was originally made under competitive procedures, and the fact that it might lead to a permanent promotion was made known to all potential candidates.

B-2. A temporary promotion shall not be made:

- a. To any position for less than 31 days (unless mandated by higher authority regulation);
- b. To other than an established and authorized position.
- c. For a period in excess of 1 year, except that extensions may be granted for up to 5 years in 1-year increments with prior higher level approval.
- d. For assignments for which the primary and major purpose is the training or development and/or the evaluation of an employee for a higher grade position.
- e. To a position, whether by competitive or noncompetitive procedures, for which the employee does not meet all the legal and regulatory requirements, including the minimum and any special selective factor qualification requirements.

B-3. Notice. Employee will be given written notice of the conditions of the time limited promotion to include the reason for making the promotion time limited and the requirements for competition for promotion beyond 120 days.

APPENDIX C DETAILS

C-1. Purpose. Details are only intended to meet a temporary need for an organization when necessary services cannot be obtained by other desirable or practicable means or as an administrative expediency pending official personnel action.

C-2. When Permitted. Details may be appropriately made to meet emergencies, such as abnormal workload, changes in mission or organization, special project or studies, unanticipated absences; or for administrative reasons, such as pending official assignment, pending description and classification of a new position, pending security clearance, and for training purposes where the training is a part of established promotional or developmental programs. In addition, when an employee's position is upgraded due to additional duties and responsibilities, the employee may be detailed to the new position until time-in-grade requirements are met.

C-3. Guidelines

a. No employee may be detailed within 3 months after competitive appointment except for:

- (1) An emergency detail of 30 days or less.
- (2) Detail of employee injured on the job to light duty work.

b. Other than for brief periods, employees should not be detailed to work at a higher grade level unless there are compelling reasons to do so. Competitive procedures are required for details of more than 120 days to a higher grade position or to a position with more promotion potential.

c. Temporary employees may be detailed to another position if that position meets the criteria for temporary employment.

d. Details of 120 days or less may be processed noncompetitively to unclassified duties and to the same, lower, or higher grade positions. Extensions may be made in 120-day increments up to a maximum of 1 year.

C-4. Documentation

a. Details will be documented by an SF-50, Notification of Personnel Action.

b. An SF-52 is required for:

(1) A detail for more than 30 days to a higher grade position or to a position with more promotion potential.

(2) All other details for 120 days or more, except for a detail to a position that is identical to the employee's current position or that is of the same grade, series, and basic duties as the employee's current position.

APPENDIX D
DOCUMENTATION REQUIREMENTS FOR REASSIGNMENTS

D-1. Management-Directed Reassignments. The following statement should appear in Part D of the SF 52, Request for Personnel Action.

"The reasons for and effective date of this reassignment have been discussed with me. I accept this assignment."

(signature)

D-2. Reassignment in the same position as a result of position review or classification action does not require a statement from the employee.

APPENDIX D DELETED - CHANGE #2, February 3, 1997

**APPENDIX E
PROHIBITED PERSONNEL PRACTICES**

Prohibited Personnel Practices

(adapted from Section 2302 of Title 5, United States Code)

EMPLOYEES WHO HAVE THE AUTHORITY TO (1) TAKE, (2) DIRECT OTHERS TO TAKE, (3) RECOMMEND, OR (4) APPROVE PERSONNEL ACTIONS.....SHALL NOT:

1. **D**iscriminate on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
2. **S**olicit or consider any personnel recommendation or statement not based on personal knowledge or records of performance, ability, aptitude, general qualifications, character, loyalty, or suitability.
3. **C**oerce an employee's political activity.
4. **D**eceive or obstruct any person with respect to such person's right to compete for employment.
5. **I**nfluence a person to withdraw from competition.
6. **G**rant any preference or advantage not authorized by law, regulation, or rule.
7. **E**mploy or promote a relative.
8. **R**etaliates against a whistleblower, whether an employee or an applicant.
9. **R**etaliates against employees or applicants who exercise their appeal rights, testify or cooperate with an inspector general or the Special Counsel, or refuse to break a law.
10. **D**iscriminate based on actions not adversely affecting performance.
11. **V**iolate any law, rule or regulation implementing or directly concerning the merit principles.

APPENDIX F
THE MERIT SYSTEM PRINCIPLES

The Merit System Principles

(adapted from Section 2301 of title 5, United States Code)

1. **R**ecruit from appropriate sources representing all segments of society.
2. **S**elect and advance only (a) qualified individuals, (b) solely on their relative ability, and (c) after fair and open competition that assures equal opportunity.
3. **T**reat employees and applicants fairly.
4. **M**anage employees efficiently and effectively.
5. **E**ducate and train employees when it will result in better organizational or individual performance.
6. **C**orrect inadequate employee performance.
7. **S**eparate those employees who cannot or will not meet performance expectations.
8. **P**rotect employees against arbitrary action, favoritism, and reprisal.
9. **P**rohibit employees from using their official authority or influence to interfere with or affect the result of an election.
10. **C**ompensate employees on the basis of equal pay for work of equal value.
11. **P**rovide appropriate incentives and recognition for excellence in performance.
12. **M**aintain high standards of integrity, conduct, and concern for the public interest.